

April 24, 1974

MEMORANDUM TO: Ralph L. Harding
Society of the Plastics Industry

SUBJECT: OSHA and Vinyl Chloride

At the SPI vinyl chloride meeting in Washington on April 16, considerable discussion was held on the best approach the industry could take with regard to OSHA and the development of final VC standards. Numerous comparisons were drawn between the current situation and that faced by the asbestos industry two years ago. Since at that time I was director of the trade association which served as the umbrella organization for the industry effort re the OSHA asbestos standards, Jerry Blizin and I agreed that I should prepare for SPI a series of recommendations, based on my personal experiences in dealing with OSHA, that might be of value re vinyl chloride. The following are not presented in any particular order of importance.

1. Public Hearings: One of the major problems facing the VC industry at this time is the paucity of hard data on the relationship between VC exposure and angiosarcoma of the liver. The more time the industry has available to it, the more data can be collected. Unfortunately, the time restrictions imposed by the issuing of the emergency standard severely limit the amount and even the type of data that can be collected in time for presentation to OSHA for consideration in the development of final standards. When the proposed final standard is printed in the Federal Register sometime within the next few weeks, the industry will have a mere 30 days to submit its comments. However, if the industry requests a public hearing and one is granted -- which would seem likely -- considerable additional time would be gained for the collection of data, perhaps as much as six or seven weeks.

While a public hearing would give organized labor and the various interested activist groups an excellent forum for attacking the industry, the advantages to be gained would certainly appear to outweigh the disadvantages, especially in light of the fact that OSHA has, in the past, paid little or no attention to the rantings and ravings of far-out anti-industry spokesmen.

With regard to the asbestos situation, practically no one submitted written comments within the 30 day time period, primarily because it was common knowledge that a public hearing was going to be held. OSHA should, therefore, not only be requested to hold a hearing, but should also be personally contacted as many times as are necessary to assure that one will be held. In addition, the industry should not hesitate to tell OSHA directly that the more time it is given before the public hearing, the more data of such-and-such a nature it will be able to collect and present.

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As far as timing is concerned, the emergency asbestos standard was published in the Federal Register the first week of December, 1971. The proposed final standard was published the second week of January and the hearings began the second week of March. The hearing examiner furthermore kept the hearing record open for an additional ten days after the hearing ended for the submission of additional comments and material. By having a public hearing, the asbestos industry therefore gained more than six weeks of time for the development and presentation of its position.

2. Epidemiological Data: One of the most pressing, still unanswered questions concerning this entire problem is: How serious a hazard is angiosarcoma within the industry in terms of the numbers of employees who contract the disease? Thus far, only a dozen or so cases have been identified. Nonetheless, Selikoff has already predicted that 5 percent of all VC workers will eventually die of angiosarcoma. It would be interesting to discover the statistical basis, if any, for his prediction.

Without precisely knowing the status of the Tabershaw-Cooper study, it would seem to me that the individual VC manufacturers may themselves be able to produce some useful epidemiological data in time for the hearings. Each manufacturer with a plant at least 20 years old could assign a team of men to discover, using old employment records to compile the proper list of names, the cause of death of all workers with 15 or more years of exposure and/or the cause of death of all workers with one year or more of exposure, but for whom at least 15 years have passed since first exposure.

While the data would probably be sketchy at best, it would at least give the industry some idea of where it stands, and might also tell us whether an employee needs continuous exposure over a long period of time to contract the disease or whether a relatively short though probably heavy exposure followed by a long latent period is equally as hazardous. For purposes of the study, all liver cancers and perhaps even deaths from cirrhosis ought to be considered possible undiagnosed angiosarcomas.

Examining current employees to determine the extent and type of other possible VC induced liver abnormalities is also useful, though not as much as the type of quickie study suggested above.

3. Past Exposure Data: Since angiosarcoma quite obviously occurs only after a rather lengthy latent period, and since it is probably also dose related, the industry's ability to produce or at least estimate exposures dating back 15 or 20 years is of considerable importance. All VC producers should be polled to determine the earliest exposure data available. Even if it is only five or ten years old, it can logically be assumed that conditions 20 years ago were no better than they were 10 years ago and were probably worse.

Another possibility for determining past exposures would be to reproduce, on a small scale basis, a section of a production line as it might have existed 15 or 20 years ago. This was done in the asbestos mining industry for some types of operations, and provided some very useful data for submission to OSHA.

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4. Current Exposure Data: In preparing for the OSHA hearings, current exposure data should be viewed in a number of contexts: (1) as an indication of the industry's accomplishments to date in reducing exposure levels from what they were five or ten years ago, (2) as an expression of the industry's sense of responsibility and willingness to reduce levels below those previously required under the law, and (3) as an opportunity to develop and present economic data showing the cost and time involved in reducing exposures to their current levels.

Certain pitfalls should also be recognized. There is a tendency on OSHA and nearly everybody else's part as well to assume that if an industry has willingly reduced exposures to a certain level, with a little bit of prodding it could do much better. Secondly, even if the industry can convince OSHA not to establish a zero exposure level, it will, as a minimum, expect the entire industry to match the performance of the best plant or company in the business. In short, if one plant has already achieved a 5 ppm TWA throughout its operations, not only will OSHA expect it to do somewhat better, but it will also expect the rest of the industry to match that plant's accomplishments.

5. Technical Feasibility: The OSHA Act clearly states that "feasibility" shall be taken into consideration in the development of any health standard. Debate still rages over whether economic impact is to be considered under feasibility (OSHA acts as if this were the case and the courts have, in fact, recently agreed). However, no one argues that "technical feasibility" is not a part of the definition. Thus, whether or not the standard proposed by OSHA is feasible from the engineering standpoint is a consideration which OSHA must honor in developing its final regulations. The asbestos industry was able to convince OSHA to delay the implementation of the two fiber TWA standard till 1976 primarily by proving that it was technically infeasible to do it any sooner. While economic impact played a part, technical feasibility was the prime factor.

The VC manufacturers should, therefore, develop data showing that zero is infeasible from the technical standpoint, but that, with the "state of the art" as it exists today, such-and-such a standard (10 ppm as a TWA?) is feasible, and can be reached in six months or a year or whatever.

The essential point is: the industry cannot simply tell OSHA what it doesn't like; it must also provide information on what it can accomplish, and by what date.

6. Economic Feasibility: The final element to be developed for any presentation to OSHA on a proposed standard is simply: how much is it going to cost? Economic impact should be viewed in two contexts: (1) the cost to achieve compliance with the proposed standard, and (2) the impact on the industry and the nation in terms of lost jobs, reduction in GNP, etc. if the standard is made too tight and companies are forced to close their doors.

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In an April 15 ruling by the D. C. Court of Appeals on a suit brought by the AFL-CIO against OSHA on the 1972 asbestos standards, the principle of economic feasibility as a proper consideration by OSHA in the development of standards was upheld. The court stated: "It would comport with common usage to say that a standard that is prohibitively expensive is not feasible."

This can be interpreted to mean that any standard which shuts down an entire industry is, by definition, infeasible and hence contrary to the intent of the OSHA Act. By this interpretation, a zero VC standard would be infeasible. However, the industry must point this out in strong economic terms, which it is, of course, planning to do. It should not stop there, however. The industry should also prepare data indicating what is feasible from the economic standpoint. In other words, if the industry and the nation cannot afford zero, what can they afford?

From the non-medical point of view, it adds up to a simple three part presentation:

- a. What is feasible in terms of engineering and other controls with today's technology, i. e. how low can we go with the "state of the art" as it exists today?
- b. How long will it take us to get there?
- c. How much will it cost?

It is somewhat of a delicate balancing act to find the proper combination of proposals that will be acceptable to both the industry and OSHA. For example, it is likely that the more money the industry is willing or able to spend, the lower it can go in the exposure level. In addition, the more time it is given, the more money it can afford. Perhaps a gradual stepped reduction is the answer.

7. Impact Studies: The industry would probably be very wise to cooperate fully with the National Bureau of Standards or whatever organization has been assigned to do the economic-environmental impact study on VC. Most economic impact studies with which I am familiar have been favorable to the industry being regulated, and it is generally recognized that the OSHA sponsored A. D. Little study of the asbestos industry helped convince the government to give the industry the additional time it requested in order to comply with the proposed stricter standard.

The argument was advanced at the April 16 meeting that by cooperating in the NBS study, the industry would find it difficult to attack the study later if the results proved unfavorable. As long as the industry does not place itself in the position of requesting the study, as NBS has apparently suggested, its freedom of action should not be unduly restricted by an attitude of cooperation. After all, the industry cooperated with both NIOSH and OSHA in the gathering of data on the medical and exposure aspects of the problem, yet by doing so did not injure its ability to contest the proposed standards if they prove unlivable. In short, the simple fact that an industry or a company provides data to a government agency does not mean that it is bound to accept that agency's interpretation of the data.

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The A. D. Little mathematical model for evaluating the economic impact of environmental and occupational health standards has been well tested in practice. The industry would be well advised to fund the study, if it can be assured that the results will be available in time for the public hearings or shortly thereafter. Another advantage in funding its own study is that the industry can then establish the parameters under which the study will be undertaken -- an advantage which it would not have in dealing with NBS.

8. Eliminating the Numbers Game: There is one other approach to the OSHA problem which the industry might consider in developing its position. In recent months, OSHA has shown a preference in some standard setting situations for doing away completely with the need for numerical standards of any type. This is the approach OSHA is currently taking with its rewrite of the 1972 asbestos standards, for example.

Commonly referred to as "work practices" standards, regulations of this type generally call for the use of "best available control technology" to reduce exposures to as low a level as is technically feasible, and then spell out in considerable detail the types of technology and work practices to be implemented. While standards of this nature generally take much longer to develop than simple numerical standards, they do have a number of advantages, such as: (1) there is no longer a need to go through the tedious and often impossible task of working out a "safe" exposure level, (2) the need for monitoring by both industry and OSHA is cut back drastically, and (3) enforcement problems are eased considerably, since it is always more simple to see whether a particular piece of equipment for controlling exposure is in operation than it is to monitor the air and use that as the basis for issuing citations.

9. Other Aspects of Standards: Traditionally, industries faced with an OSHA rulemaking have expended 95 percent of their effort on dealing with the basic numerical standard proposed by the government, and have paid scant attention to the other provisions of the standards "package." Often, these ancillary regulations on monitoring, medical surveillance, record keeping, protective clothing and equipment, labeling, etc. contain unrecognized time bombs which go off with devastating effect only after the standards are promulgated.

It is advisable, therefore, that the entire "package" be examined and commented upon with the same degree of thoroughness as is devoted to the numerical standard itself.

I hope these few comments will be of some assistance to the SPI OSHA committee in its work. If we can be of any further help, or if you have any questions on this memo, please let me know.

Matthew M. Swetonic

/kk

CC: E.S. Nuspliger, J. Lawrence, R. Durazo,
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RECOMMENDATIONS FOR PUBLIC AFFAIRS PROGRAM
FOR SPI'S VINYL CHLORIDE COMMITTEE
PHASE I: PREPARATION FOR OSHA HEARINGS

I. Background

Beginning on June 25 and continuing, most probably, for the remainder of that week, the Occupational Safety and Health Administration will hold public hearings on the subject of a permanent occupational standard for exposure to vinyl chloride monomer. The National Institute of Occupational Safety and Health (NIOSH) and OSHA have both recommended a "no detectable level" standard. It is to be anticipated that this position will be strongly supported at the hearings by organized labor, some segments of the medical community, and by various consumer and environmentalist groups. It is further to be anticipated that an active public relations program will be undertaken by organized labor and its supporters prior to and during the course of the hearings to elicit public and perhaps governmental support for their position.

The Society of the Plastics Industry, on the other hand, has, through its VCM and PVC Producers Group, adopted a position which, while approving of a stepped reduction in exposure over current permissible levels, does not meet the recommendations of NIOSH and OSHA, and hence of organized labor. For this reason, the anticipated active public relations program of organized labor and its supporters will most probably be directed not only in support of its own position but also against that of SPI and the individual companies involved.

II. SPI Position

The details of the SPI position to be advanced at the hearings will be contained in the forthcoming OSHA Committee Position Paper on the subject. The essential elements of this position, which must serve as the basis for any SPI public affairs

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program, can be summarized as follows:

1. PVC products play an important role in our society. Unnecessarily strict standards would deprive the nation of many valuable and beneficial products.
2. Should PVC be eliminated, the economic and social hardship in terms of lost production and lost jobs would be severe.
3. It is technically infeasible to reduce occupational levels to those recommended by OSHA and NIOSH.
4. It has not been demonstrated that a health hazard exists at the levels recommended by SPI.

While it might appear that point No. 4 is the most important one of all, it should also be remembered that the corollary to this statement is that it has not been scientifically demonstrated that the SPI recommended levels are truly safe.

III. General Recommendations

It is recommended, therefore, that the SPI adopt both a "positive" and a "defensive" public affairs strategy with regard to the OSHA hearings. The "positive" strategy would involve efforts to disseminate and make available information emphasizing points Nos. 1-3 above, with special stress to be placed on the economic and technical feasibility questions.

The "defensive" strategy would center on anticipating, following carefully and attempting to counter, to the extent feasible, the anticipated active public affairs program of organized labor and its supporters.

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In both strategies, the industry's sense of responsibility and obligation to the health of its workers must always be stressed, even though the available medical evidence is not sufficient to provide a definitive answer on the question of ultimate safety.

IV. Specific Recommendations -- "Positive" Strategy

The present situation facing the vinyl chloride industry is not normal in the sense that standard public relations attitudes do not apply. The current situation should be viewed as one possibly involving the very existence of the industry. SPI should, in this instance, be less concerned with the "public image" of the industry than with the ultimate resolution of the problem; i.e., assuring that the final standards will permit the continued existence of the vinyl chloride industry. For example, while under normal circumstances SPI might properly avoid wide dissemination of the A. D. Little data because of the "lives vs. dollars" issue, in this situation SPI should be willing to take the possible "heat" of adverse public opinion in order to fully utilize the enormous potential of the Little data.

It should also be pointed out that SPI, by its adoption of a numerical standard contrary to that recommended by NIOSH, OSHA and organized labor, may be unjustly branded as irresponsible and unconcerned over the health of its workmen. It has, therefore, already accepted an essentially "negative image" position in one area of this problem because it felt that such a position was essential to its survival. To react differently with regard to the full exploitation of the Little data would not only be inconsistent, but might jeopardize the all-important end result.

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With these thoughts in mind, the following "positive" strategy program is recommended:

1. A background paper should be prepared for use prior to the start of the hearing, describing in some detail the wide range of valuable and beneficial products made from PVC and their contribution to and place in our society. The economic issue would not be raised directly in this paper nor would any tie-in be attempted to the current OSHA situation. It would serve simply as a reference piece for reporters who have written on the subject or who will be covering the hearings. A possible distribution to key government officials in conjunction with the A. D. Little report should also be considered.
2. Depending upon the completion date of the A. D. Little study, efforts should be made as rapidly as possible to place the results in the hands of key government administrative and legislative officials, labor leaders and, via hand delivery by Hill and Knowlton staff members, to selected members of the press. A general press release on the findings should also be issued late the week before the hearings begin (probably on or about Thursday, June 20) in an attempt to defuse any possible pre-hearing theatrics by organized labor. For example, the day the asbestos hearings started in 1972, organized labor in conjunction with the Mount Sinai group held a press conference for which an individual with an incurable asbestos-related cancer was brought to Washington in an attempt to elicit press sympathy. Were the same thing to happen vis-a-vis vinyl chloride, any efforts by SPI to gain extensive coverage of the Little data after such an emotional event would appear to be a response

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to the organized labor press conference. The effect might be to partially defuse the impact of the Little data. It is essential, therefore, that the data be released prior to any possible last minute public relations move by organized labor. This would force labor to react defensively rather than the industry.

3. When the final SPI position on the standards is completed, a summarized version should be prepared for release immediately following its introduction in testimony. Since the current SPI intention is to have multiple witnesses, such a summary report of the key points covered would probably be most valuable to the press. The technical infeasibility of the standard would be stressed. Of course, full copies of all presentations should be available for those who desire them. A one or two page biographical sheet covering all SPI witnesses should also be prepared.

If any company with a witness testifying on behalf of SPI wishes to issue a press release on that individual's presentation, it may do so. However, the release should be issued under an SPI letterhead.

Press releases on testimony by company witnesses made on behalf of that company or as part of an overall corporate presentation should not be issued under an SPI letterhead.

4. (See attachment for Government Relations Program)

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V. Specific Recommendations -- "Defensive" Strategy

While some of the following might appear to be "positive" rather than "defensive" steps, all are intended to cover eventualities beyond SPI's control during the course of the hearings and are hence "defensive" in nature.

1. H&K will attempt to obtain a witness list prior to the start of the hearings so that SPI will know, in advance, the extent of anti-VC testimony which could be expected. It should be understood that, if past experiences are any indication, additional witnesses will be added at the last minute (despite the Federal Register announcement), and many witnesses will ask that their time slot on any pre-hearing witness agenda be changed. Such requests are usually honored to the extent possible.
2. A devil's advocate session, conducted by Keller & Heckman and by Hill and Knowlton, should be held for all SPI witnesses. If a list of potential questions is prepared, these should be made available to all members of the VCM-PVC Producers Group who are planning to testify.
3. An SPI vinyl chloride "information center" should be set up in Washington for the hearings. While there are many obvious advantages to be gained from having the center located in H&K's Washington office, a suite in a hotel located reasonably close to the H&K offices would be preferable. The main reason for this recommendation is that reporters might feel more comfortable coming to such a suite either to pick up transcripts, press releases, etc., or to interview industry witnesses whom SPI would attempt to make available. The suite could also serve as a central rallying point for the industry during the hearings and would

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be open both day and night (Johns-Manville provided the services of such a suite during the asbestos hearings in 1972 and it proved quite successful).

Secretarial and other services should be available (the proximity to the H&K offices would provide for rapid Xeroxing of revised presentations, etc.). All testifying companies should be encouraged to make available for the center copies of any presentations or press releases which they might develop. In addition, a representative of SPI or the producers group should always be available to answer reporters' queries. An assignment roster should be prepared to insure such availability.

Information as to the existence of the center should be made available to the press prior to the start of the hearings and should be repeated on all SPI releases and testimony. The center should remain accessible to the press, at least by phone (its location could be shifted to H&K's Washington office) for a period following the completion of the hearings.

4. Since Gene DePoris of CBS-TV has already announced his intention of filming at least part of one day's hearing, and since radio and television coverage of the hearings is likely to be intense, SPI should designate one individual to act as spokesman for the entire team on any radio or television interviews. Since Dr. Selikoff and organized labor are quite likely to encourage and actively solicit media time to present their views, the industry should be ready and willing to do the same. A set of guidelines for the designated spokesman should be prepared prior to the hearings.

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5. As a contingency move, Hill and Knowlton will be prepared on short notice to organize and hold a press conference should one become necessary because of an unanticipated adverse turn of events at the hearings.
6. In past hearings of this nature, industry representatives have been reluctant to cross-examine organized labor witnesses or their supporters. On the other hand, labor questioners have often viciously attacked industry spokesmen on the stand. SPI should seriously consider putting together a team of cross-examiners who would question witnesses who either misstate facts about the problem or who engage in wild flights of fancy in their testimony. The press will only report what it hears, and if industry witnesses are continuously attacked while labor representatives go unchallenged, the resultant publicity can only go one way.
7. Following each day's hearing, a press release should be prepared for immediate distribution summarizing the events of the day and the important issues raised and discussed.

The release should also be sent to the member companies of the VCM-PVC Producers Group and to the 300 names on the plastics trade publication list.

VI Conclusion

While the final decision by OSHA on vinyl chloride will primarily be based on the substantive evidence presented at the hearings, a properly executed public affairs program can, if nothing else, defuse much of the inflammatory efforts of organized labor and its supporters to becloud the medical-technical-economic aspects of the issue and reduce it to an emotional battle which the industry cannot hope to win.

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The foregoing recommendations are concerned solely with the industry strategy leading up to, and during, the OSHA hearings, since this is obviously of the highest priority.

However, an equally serious potential problem could be the development among the consuming public of a crisis reaction regarding the possibility of danger from PVC products in the home -- and even, by implication, from all plastics consumer products.

Public attitudes, and press treatment of PVC product safety, should be closely monitored and carefully gauged during the course of the hearings. Should such negative attitudes appear to be developing, it will obviously be necessary to develop plans immediately for appropriate industry action.

XXX

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June 10, 1974

MEMORANDUM

TO: Mr. Matt Swetonic
FROM: Martin R. Haley
RE: VCM Political Plan

The draft material in this memo might be incorporated in the overall plan to be presented at the committee meeting this Wednesday, the 12th.

POLITICAL SUPPORT PLAN

The objective of this part of the program is stimulation of company support capabilities, calling upon members of Congress and thereby, the agency, in behalf of the companies' VCM proposal and policy.

A. Stage I - Support Inventory

Of the 21 VCM producers, support system information for approximately one half of them is already available in the overall SPI support data. The SPI system has already been checked for these companies. A quick support inventory of the other companies' political capabilities should now be done by telephone

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so that all 21 companies' political capabilities are available to this plan. This work could be completed by Monday, June 17th.

B. Basic Information Piece

A simple, clear, brief, basic piece would be prepared as the single item of campaign literature. It should be no more than two typewritten pages, should assume no knowledge on the part of the reader, should state the problem, the governmental response, the schedule of governmental action, and the industry policy. This piece would be used throughout the public affairs action program.

C. Stage II - Public Affairs Action Program

Using the inventory of company capabilities, we would activate appropriate elements in each company to urge action in support of the industry position from the following groups:

1. U. S. House and Senate members from company constitutancies.
2. State political parties.
3. Governors' offices.
4. State Industrial Development agencies.
5. Local and State Chambers of Commerce
6. Mayors' and City Councils.

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(Any local and international labor unions which might be sympathetic should also be activated).

Stage II could be accomplished during the week of June 17th, and toward the June 25th hearing date. Whatever should be done by this support structure between the hearing and the October 5th effective date of the standards, would be determined after the June 25th hearing.

MRH:kn

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INDUSTRY WEEK
CLEVELAND, OHIO
W. 81,000

MAY 27 1974 *Byfile*

Safety limits tighten on vinyl chloride

A CLASSIC case of industrial safety versus jobs that already has the government, industry, and union experts bickering back and forth, is brewing in chemicals and plastics.

This issue involves the levels of vinyl chloride monomer (VCM) in the air breathed by workers in industry. Since there is evidence that VCM can cause liver cancer in mice when it is inhaled (IW, Apr. 29, Page 13), the unions involved would like to see zero tolerance. Industry officials claim that would be impossible to meet.

On May 10, the Occupational Safety & Health Administration (OSHA) lowered its barely one-month-old exposure level of 50 parts per million (ppm) for VCM to "no detectable level." OSHA added that equipment capable of detecting 1 ppm would be used in determining existing levels of VCM.

Initial evidence showed that workers involved in converting VCM into polyvinyl chloride (PVC) were the only ones that had to be protected. But later reports indicate that small amounts of VCM can be released when the PVC is fabricated by extrusion or other means.

The same day OSHA an-

nounced its new standard, scientists from around the world gathered at a New York meeting sponsored by the New York Academy of Sciences, the American Cancer Society, the National Institute for Occupational Safety & Health, and other groups to discuss problems related to vinyl chloride.

The scientists reported on symptoms found in vinyl chloride workers, as well as a claim from a West German scientist that he had found serious liver disease in workers at a plant that uses PVC in making floor tiles.

The OSHA standards apply to those areas where detectable levels of VCM are released. Since there is residual VCM in all PVC, the standard could be widely applied.

In fact, the Society of the

Plastics Industry Inc., New York, has Arthur D. Little Inc., Cambridge, Mass., looking into the economic impact of the new

lower standard. There's a good chance that the Little report will show some tough choices ahead for plastics producers. □

23217021

Producers vow to fight OSHA proposal; SPI urges hearing of industry viewpoint

By Bob Benchley, ^{AGE ONE}
Associate Editor

NEW YORK—The response of the plastics industry to the Department of Labor's proposed "no detectable level" vinyl chloride standard is one of dismay.

Calling the standard "excessively and unrealistically restrictive," the Society of the

Plastics Industry (SPI) is urging the Department to hold hearings to allow industry to present plans both to insure worker safety and to continue operating. The first flush of comments from industry makes such hearings appear inevitable.

The initial reaction of many producers has been

heated, with some seeing the proposed standard as a threat to the future of PVC. "We would be unable to operate under this level, and we doubt anyone else could," says a spokesman for Good-year Tire & Rubber Co. Whatever the initial reaction, however, the producers' concern is twofold: technological compliance and economic compliance.

"No detectable level" is the standard's requirement, but as one industrial lab man points out: "It depends on how the level is being measured. 'No detectable level' is not necessarily zero." And indeed, the Department of Labor notes that levels up to 1½ parts per million will be permitted. (See related story, p. 1.)

"The technology for measuring these levels is available," says Dr. Donald Lassiter of the Department's Occupational Safety and Health Administration (OSHA). "Several methods can be used to obtain an accurate sampling. Companies can use any one they choose and even send samples out for analysis. We're not trying to break anyone by forcing him to buy expensive equipment."

Even so, say industry spokesmen, the age of a plant can be a major factor in compliance. The newer plants, which have better ventilation, will have less trouble complying than older plants that may need extensive—and expensive—renovations.

FOOD AND DRUG
PACKAGING
NEW YORK, N. Y.
W. 35,000

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"I don't think any plant can comply," says Harry Connors, general manager of Diamond Shamrock Chemical Co.'s Plastics Div. "We can build new plants, but how long will that take? The proposed standard is unnecessary, anyway. The data just doesn't indicate toxicity at low levels. Besides being expensive, compliance could also pose new problems. Even if we could get our workers to wear respirators and protective clothing, they might make them clumsy and cause accidents."

The expenses involved in compliance worry everyone, partly because of the increased manufacturing costs, partly because passing these costs along to the customer may result in lost business. "A standard this strict would definitely raise the price of PVC," says Wallace Howells, national sales manager, Polymer Group, Ruco Div., Hooker Chemical Co. "With current supply problems, we're already getting close to the price of glass. It's a basic problem of protecting your livelihood."

The costs of compliance may separate those who are committed to sticking with PVC from those who are not, says Al Keller, market manager, M&T Chemicals Co., a major supplier of stabilizers. "The big resin producers are emotional right now," he tells Food & Drug Packaging, "but compliance is not impossible. They can do it if they have to. It's a matter of spending money and taking precautions. Vinyl chloride is not too big a business to shut down over an OSHA rule."

Mr. Keller adds, as do many others, that the immediate result may be a temporary capacity problem as producers either begin compliance or drop out of the market. This shortage could send customers scurrying to manufacturers of alternative materials—who admit they have a major shortage problem themselves.

"We've had an unusual number of inquiries," says Don Hall, product manager for Vistron Corp.'s Barex high-barrier resin. "Many companies are concerned about PVC and rightfully so. Other materials will have to take up the slack if the PVC producers start losing business, but everyone has a supply problem."

Jim Alberts, vice president, marketing, Rexene Polymers says inquiries about polypropylene have also been heavy. "It's a question of production and availability," he says. "There's just no volume."

The plastics industry, meanwhile, is taking steps of its own. An economic impact survey is now being prepared for SPI by the Arthur D. Little, Inc. consulting firm and is expected to be completed in mid-July. The PVC producers have also formed an ad hoc committee to represent them, and the Department of Labor says that the storm of protest over the proposed standard has been so fast and furious that there is "no way" hearings this summer can be avoided. The producers are said to be hoping to obtain a compromise level of 20 to 30 parts per million.

The outcome now remains to be seen, but some producers expect the excitement will die down. "It's blown way out of proportion," says one. "We found one part per million in the air 20 miles from our plant. The levels of lethal hydrocarbons and lead were much higher. Where's the logic?"